

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

OLIVIA SELTO as guardian of minor
child K.P. and as Personal Representative
of the Estate of KEVIN PETERSON JR,
deceased, TAMMI BELL, individually
and as Personal Representative of the
Estate, and KEVIN PETERSON SR,
individually,

Plaintiffs,

v.

COUNTY OF CLARK, a political
subdivision of the State of Washington;
SHERIFF CHUCK ATKINS; Sheriff's
Detective ROBERT ANDERSON;
Sheriff's Deputy JONATHAN FELLER;
and JOHN and JANE DOES 1-10, in their
official and personal capacities,

Defendants.

No. 3:22-cv-5384 BJR

DEFENDANTS' PROPOSED
INTERROGATORIES TO THE JURY

To assist the Court in determining whether Robert Anderson and Jonathan Feller are
entitled to qualified immunity, Defendants respectfully submit the following interrogatories
to the jury.

INTERROGATORY NO. 1: When Kevin Peterson, Jr. was running northbound in the US
Bank parking lot area, was he in possession of a handgun?

_____ YES

_____ NO

_____ UNKNOWN

1 INTERROGATORY NO. 2: Did Deputy Robert Anderson exit his vehicle in the US Bank
2 parking lot and begin giving Kevin Peterson, Jr. commands to show his hands and not
3 move?

4 _____ YES _____ NO _____ UNKNOWN

5 INTERROGATORY NO. 3: If you answered “yes” to the preceding interrogatory, did Kevin
6 Peterson, Jr. comply with Deputy Anderson’s commands?

7 _____ YES _____ NO _____ UNKNOWN

8 INTERROGATORY NO. 4: Did Deputy Anderson see Kevin Peterson, Jr. reach into the
9 front pocket of his sweatshirt and pull out a handgun?

10 _____ YES _____ NO _____ UNKNOWN

11 INTERROGATORY NO. 5: Did Deputy Anderson yell, “drop the gun or I’ll shoot” or
12 words to that effect at Kevin Peterson, Jr.?

13 _____ YES _____ NO _____ UNKNOWN

14 INTERROGATORY NO. 6: If you answered “yes” to the preceding interrogatory, did Kevin
15 Peterson, Jr. comply with Deputy Anderson’s commands?

16 _____ YES _____ NO _____ UNKNOWN

17 INTERROGATORY NO. 7: Did Deputy Anderson fire his duty weapon at Kevin Peterson,
18 Jr. as Kevin Peterson, Jr. ran northbound in the US Bank parking lot area?

19 _____ YES _____ NO _____ UNKNOWN

20 INTERROGATORY NO. 8: Did any of the rounds that Deputy Anderson fired shots as
21 Kevin Peterson, Jr. ran northbound in the US Bank parking lot area strike Kevin Peterson,
22 Jr.?

23 _____ YES _____ NO _____ UNKNOWN

24 INTERROGATORY NO. 9: At the time he fired the shots at Kevin Peterson, Jr. as he moved
25 northbound in the US Bank parking lot area, did Deputy Anderson reasonably believe that
26 Kevin Peterson, Jr. posed a threat of serious bodily harm to others if not apprehended?

27 _____ YES _____ NO _____ UNKNOWN

1 INTERROGATORY NO. 10: As Kevin Peterson, Jr. ran northbound in the US Bank parking
2 lot area, did Deputy Feller observe Kevin Peterson, Jr. holding a gun in his right hand and
3 pointing it at Deputy Feller?

4 _____ YES _____ NO _____ UNKNOWN

5 INTERROGATORY NO. 11: Did Deputy Feller fire his duty weapon at Kevin Peterson, Jr.?

6 _____ YES _____ NO _____ UNKNOWN

7 INTERROGATORY NO. 12: At the time he fired his duty weapon, did Deputy Feller
8 reasonably believe that Kevin Peterson, Jr. posed an imminent threat of death or serious
9 bodily harm to him and/or others?

10 _____ YES _____ NO _____ UNKNOWN

11 INTERROGATORY NO. 13: After Deputy Anderson and Deputy Feller fired shots, did Mr.
12 Anderson eventually go to the ground?

13 _____ YES _____ NO _____ UNKNOWN

14 INTERROGATORY NO. 14: While seated on the ground, did Kevin Peterson, Jr. raise up
15 his right arm, pointing it in the direction of Deputy Feller and/or Deputy Brown?

16 _____ YES _____ NO _____ UNKNOWN

17 INTERROGATORY NO. 15: If you answered "yes" to the preceding interrogatory, did
18 Kevin Peterson, Jr. have a handgun in his right hand?

19 _____ YES _____ NO _____ UNKNOWN

20 INTERROGATORY NO. 16: If you answered "no" to the preceding interrogatory, did Kevin
21 Peterson, Jr. have a cell phone in his right hand?

22 _____ YES _____ NO _____ UNKNOWN

23 INTERROGATORY NO. 17: Did Deputy Anderson see Kevin Peterson, Jr. raise his right
24 arm up and point a gun in the direction of Deputy Brown?

25 _____ YES _____ NO _____ UNKNOWN

26 INTERROGATORY NO. 18: Did Deputy Anderson fire his duty weapon at Kevin Peterson,
27 Jr. in response to Kevin Peterson, Jr. raising his right arm up and pointing a gun in the
direction of Deputy Brown?

1 _____ YES _____ NO _____ UNKNOWN

2
3
4 INTERROGATORY NO. 19: At the time he fired a second volley of shots from his duty
5 weapon at Kevin Peterson, Jr., did Deputy Anderson reasonably believe that Kevin Peterson,
6 Jr. posed an imminent threat of death or serious bodily harm to Deputy Brown and/or
others?

7 _____ YES _____ NO _____ UNKNOWN

8
9
10 DATED: October 15, 2024

11 KEATING, BUCKLIN & McCORMACK, INC., P.S.

12
13 By: /s/ Thomas Miller

14 Paul J. Triesch, WSBA #17445

15 Thomas Miller, WSBA # 34473

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DECLARATION OF SERVICE

I hereby certify that on October 15, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 15th day of October, 2024, at Seattle, Washington.

/s/ Sydney McCrorie

Sydney McCrorie, *Legal Assistant*